

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

LAWRENCE E. CREED

DEBTOR

§  
§  
§  
§  
§  
§

CASE NO. 15-40892  
(Chapter 7)

**APPLICATION TO EMPLOY SPECIAL COUNSEL**

**NOTICE**

**NO HEARING WILL BE CONDUCTED ON THIS APPLICATION UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS OBJECTION WITHIN FOURTEEN (14) DAYS FROM DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH RESPONSE. IF NO RESPONSE IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF A RESPONSE IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING UNLESS IT DETERMINES THAT AN EVIDENTIARY HEARING IS NOT REQUIRED AND THAT THE COURT'S DECISION WOULD NOT BE SIGNIFICANTLY AIDED BY ORAL ARGUMENT. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR RESPONSE MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.**

**TO THE HONORABLE BRENDA T. RHOADES, U.S. BANKRUPTCY JUDGE:**

Christopher J. Moser, Trustee ("Trustee") by and through the proposed undersigned attorney files his Application to Employ Special Counsel ("Motion") as follows:

1. On May 14, 2015, Lawrence E. Creed, ("Debtor") filed with this Court a voluntary petition under Chapter 7 of the Bankruptcy Code.
2. Christopher J. Moser is the acting Chapter 7 Trustee of the Debtors' bankruptcy estate.

3. The Trustee seeks authority to employ Kelly B. Williamson and the laws Offices of Kelly B. Williamson as special counsel assist with all aspects of the disposition of this matter. This will include a determination of fraudulent transfers and/or preferences in favor of Insiders. Kelly B. Williamson has advised the Trustee that he is willing to represent the estate on a contingency basis in maximizing the estate's interest in gain and disposition of unreported assets.

4. The Trustee proposes to employ Kelly B. Williamson under §328 of the Bankruptcy Code on a 40% contingency fee basis, in addition to the payment of all reasonable expenses incurred in such representation. In other words, Mr. Williamson's contingent fee shall be computed and paid on the gross recovery on the claims and those expenses incurred or paid by Mr. Williamson shall not be deducted from the gross recovery for purposes of computing his compensation. Instead, those expenses shall be paid to Mr. Williamson in addition to the contingent fee.

5. Kelly B. Williamson does not hold or represent any interest adverse to the Trustee in the matters upon which he is to be engaged and his employment would be in the best interest of the Debtors' estate.

6. Kelly B. Williamson has no connection with the Debtor his creditors, or any party in interest or their respective attorneys, the United States Trustee, or any person employed in the office of the United States Trustee, which would disqualify him from representing the estate as evidenced by the Affidavit of Kelly B. Williamson attached hereto as Exhibit "A".

**WHEREFORE, PREMISES CONSIDERED,** Trustee prays that he be authorized to employ Kelly B. Williamson as special counsel for the purpose of representing the estate to perform all necessary diligence and to timely litigate preference and/or fraudulent transfer claims described

hereinabove, and that Trustee be granted such other and further relief to which he may be justly entitled.

Respectfully submitted,

Kelly B. Williamson  
P.O. Box 207  
Miami, Texas 79059  
(214) 244-8086 (Telephone)  
[kbwzzt@aol.com](mailto:kbwzzt@aol.com)

By: /s/ Kelly B. Williamson  
Kelly B. Williamson  
State Bar No. 00785260

PROPOSED ATTORNEY FOR TRUSTEE  
CHRIS MOSER

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been served electronically where applicable and on the attached matrix via regular U.S. mail, postage prepaid, on this the July 28, 2015:

**Office of the U.S. Trustee**  
110 N. College Ave., Suite 300  
Tyler, Texas 75702

**Lawrence E. Creed**  
1917 Fountain Spray  
Wylie, Texas 75098

**Christopher J. Moser**  
QUILLING, SELANDER, LOWNDS,  
WINSLETT & MOSER, P.C.  
22001 Bryan Street, Suite 1800  
Dallas, Texas 75201

**Veronica Deaver**  
PO Box 2248  
McKinney, Texas 75070

/s/ Kelly B. Williamson  
Kelly B. Williamson